

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:11-CR-229-2-F

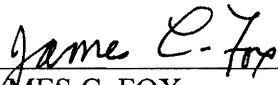
UNITED STATES OF AMERICA,)	
)	
v.)	<u>O R D E R</u>
)	
STACY FERRELL MAYO,)	
Defendant.)	

This matter is before the court on the defendant's September 4, 2012, letter asking the court to strike a "2 point enhancement" in her advisory Guideline calculation in order that she may be permitted to participate in the Bureau of Prisons' 500-hour residential drug abuse program, as recommended by the court. Ms. Mayo's letter has been deemed a *pro se* motion to reduce her sentence [DE-419]. This court's review of Ms. Mayo's case reveals that she was the recipient of a reduced sentence, as well as afforded the benefit of the safety valve. She, like her ten co-defendants, received a three-level enhancement pursuant to advisory U.S.S.G. § 2D1.1(b)(13)(C)(ii), for engaging in an offense that "created a substantial risk of harm to human life or the environment," based on the evidence produced by the Government.

From an advisory USSG range of 97 to 121 months, the court departed downwardly to a sentence of 36 months imprisonment to be followed by a five-year term of supervised release. Even if the court were authorized to amend the sentence (it is not), the court remains satisfied that Ms. Mayo's sentence correctly reflects her culpability. Her motion to reduce her sentence by striking the substantial risk enhancement [DE-419], therefore, is DENIED.

SO ORDERED.

This, the 12th day of September, 2012.



JAMES C. FOX
Senior United States District Judge